

The Gazette



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NOTICE

The undermentioned Gazette of India Extraordinary was published during the week ending the 1st November 1949 :—

S No.	No. and date	Issued by	Subject
1	Nos 128/E to 131/E., dated the 27th October 1949.	Ministry of Defence	Amendments to the Schedule in the Civilian in Defence Services (Revision in Pay) Rules, 1947.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART I—Section 3

Government of India, Ministry of Defence, Notifications relating to Rules, Regulations, Orders and Resolutions, etc.

MINISTRY OF DEFENCE

New Delhi, the 5th November 1949

No. 1857.—The following amendments to the Pensions Appeal Tribunal Rules, 1945, as notified in the Min. of Def. Notification No. 1242, dated the 24th July 1948, are hereby published for general information:—

AMENDMENTS TO THE PENSIONS APPEAL TRIBUNAL RULES

Rule 4(b)—

Read 4(b) as 4(c), and delete 'last' in the first line and read 'sub-rules' for 'sub-rule'.

Add the following sub-rule as 4(b):—

"4(b) Where in the case of an appeal to the Tribunal under Rule 3 the Central Appeal Tribunal is satisfied on application being made to it, within six months from the date of communication of the decision, that the decision of the Tribunal is erroneous in point of interpretation or is otherwise manifestly untenable the Central Appeal Tribunal may direct that the decision be set aside and that the appeal be reheard by the same or another Tribunal whose decision shall be final and conclusive."

Rule 6(b), 1st, 2nd and 3rd line—

Read 'Ministry of Defence' for 'Ministry of Law'

Rule 6(d)(i), last line—

Read 'Ministry of Defence' for 'Ministry of Law'

Rule 9(c)—

1st line—

Read 'Rule 4(a)' for 'Rule 4',

2nd line—

Read 'Central Appeal Tribunal' for 'Pension Appeal Office'.

Proviso to Rule 9, 1st line—

Read 'Tribunal concerned' for 'Ministry of Law'.

Rule 12(c), 2nd and 3rd line—

Delete 'under intimation to Pension Appeal Office'

Rule 14(a), 1st line—

Read 'Ministry of Defence' for 'Ministry of Law'

Rule 14(b), 1st line—

Read 'Ministry of Defence' for 'Ministry of Law'

Rule 15(a), last line—

Delete 'and the Pensions Appeal Office'

Proviso to Rule 15(a)—

1st line—

Read 'Ministry of Defence' for 'Pensions Appeal Office'.

2nd line—

Read 'it' for 'the Ministry of Law'.

Rule 16(a), 3rd line—

Read 'Ministry of Defence' for 'Pensions Appeal Office'.

Rule 16(b)—

3rd and 4th line—

Delete 'to the Pensions Appeal Office and'.

4th line—

Add 'if necessary' between 'and' and 'also'.

4th and 5th line—

Delete 'if Notice of hearing has been issued in accordance with rule 15 hereof'.

Rule 25(b), 3rd line—

Read 'appellant and to the Secretary, Ministry of Defence' for 'Pension Appeal Office'.

Rule 25(c)—Omit.

Rule 25(d)—Omit.

Rule 26(d)—

3rd line—

Read 'that Tribunal' for 'the Ministry of Law'

8th line—
~~Delete~~ 'by the Tribunal'.
 Read 'Tribunal' for 'Ministry of Law'.

7th line—
 Read 'it' for 'they'.

7th and 8th line—
~~Delete~~ 'direct the Tribunal to re-hear the appeal and thereupon the Tribunal will'.

Proviso to Rule 26(b), 8rd line—
 Read this as Proviso to Rule 26(a).
 Read 'Ministry of Defence' for 'Ministry of Law'.

Rule 28(b)—
 6th line—
 Read 'Ministry of Defence' for 'Ministry of Law'.

6th and 7th line—
~~Delete~~ 'if satisfied that it would be reasonable for the hearing to be postponed'.

Rule 28(c)—
 1st line—
 Read 'Ministry of Defence' for 'Ministry of Law'.

5th line—
 Read 'Tribunal' for 'Pensions Appeal Office'.

Rule 29(a), 1st and 2nd line—
 Read 'Ministry of Defence' for 'Pension Appeal Office'.

Rule 29(b), 2nd and 3rd line—
 Read 'Tribunal may decide' for 'Ministry of Law may give directions'.

Rule 29(c), 4th line—
 Read 'Tribunal' for 'Pensions Appeal Office'.

Rule 29(e)—
 3rd line—
 Read 'Tribunal' for 'Ministry of Law'.

6th line—
 Read 'Tribunal' for 'Ministry of Law'.

7th and 8th line—
~~Delete~~ 'they may direct the Tribunal to re-hear the appeal and thereupon the Tribunal'.

Rule 31(a), 1st and 3rd line—
 Read 'Central Appeal Tribunal' for 'Ministry of Law'.

Rule 31(c), 1st and 5th line—
 Read 'Central Appeal Tribunal' for 'Ministry of Law'.

Rule 31(d), 1st line—
 Read 'Central Appeal Tribunal' for 'Ministry of Law'.

Rule 31(e), 2nd and 3rd line—
 Read 'Central Appeal Tribunal' for 'Ministry of Law'.

Rule 35, 4th line—
~~Delete~~ 'to the Pensions Appeal Office'.

Rule 39(a)(ii), 3rd line—
 Read 'Ministry of Defence' for 'Ministry of Law'.

Rule 39(c)—
 4th and 5th line—
~~Delete~~ 'or the Pensions Appeal Office'.

9th line—
~~Delete~~ 'or the Pensions Appeal Office'.

Rule 40(a), 3rd and 4th line—
 Read 'Central Appeal Tribunal' for 'Pensions Appeal Office'.

Rule 40(b)—
 2nd and 5th line—
~~Delete~~ 'to the Pension Appeal Office'.

3rd line—
~~Delete~~ 'in the central termination of the proceedings'.

Rule 40(c), 2nd line—
 Read 'Central Appeal Tribunal' for 'Pensions Appeal Office'.

Rule 46(m)—Omit.

Rule 47(b)—
 2nd line—
~~Delete~~ 'the Pension Appeal Office'.

3rd line—
~~Delete~~ 'the Ministry of Law'.

Rule 48, 3rd line—
 Read 'or as the case may be, by the Central Appeal Tribunal' for 'or by the Ministry of Law'.

1st Schedule (I), last line—
 Read 'Ministry of Defence' for 'War Department'.

1st Schedule (II), last line—
 Read 'Ministry of Defence' for 'War Department'.

CANTONMENTS—REGULATIONS

No. 1858.—The following bye-laws for regulating the grazing of animals in Lucknow Cantonment, framed by the Cantonment Board, Lucknow, in exercise of the powers conferred by clause (21) of sections 282 and 283 of the Cantonments Act, 1924 (II of 1924), are published for general information the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

1. In these bye-laws the expression "animal" means an animal of any description, except a dog.

2. No animal shall be grazed on any land within the limits of the Cantonment, except at such place or places as may, from time to time, be set apart by the Cantonment Board for this purpose.

3. No person shall graze an animal on any land set apart for the purpose, unless he possesses a pass from the Executive Officer authorising him to do so.

4. The owner, or the person in charge, of an animal grazing on any land set apart for the purpose, shall be bound to keep it under proper care and control. On no account shall the animals be grazed or halted on public roads.

5. Every animal for which a pass has not been obtained, or which is not under proper care and control, found grazing on land, shall be liable to seizure by any servant of the Cantonment Board and shall be sent, within 24 hours, to the Cantonment Cattle Pound. The animals, detained at the Cattle Pound, shall be subject to the provisions of the Cattle Trespass Act, 1871.

6. The Executive Officer may grant grazing passes on payment in advance of such fees as may, from time to time, be fixed by the Cantonment Board.

7. Every owner, grazier or person in charge of animals permitted under bye-law 3 to graze animals on land set apart for the purpose, shall carry the pass with him and produce it for inspection when called upon to do so by any officer, or servant of the Cantonment Board authorised in this behalf.

8. Grazing between the hours of sunset and sunrise shall not be permitted and any animal found grazing during these hours shall be dealt with as provided for in bye-law 5.

9. On the grounds of public necessity or as a protection to the roots of grass the Executive Officer may by an order in writing close the grazing on the whole or on any specific area.

10. Owners or persons in charge of animals shall not permit their animals to damage young trees, shrubs hedges or plants or any property belonging to Government or to the Cantonment Board.

11. Owners or persons in charge of animals shall at once report the occurrence of any disease among their animals to the Executive Officer, for such steps as he thinks fit to take in the interest of prevention of spread of such disease on the advice of the Health authorities.

12. No grazier or any other person, shall take under his/her care more than such number of animals as may be prescribed by the Board, from time to time, by public notice. Such animals shall be kept under proper control while they are on any public road or street.

13. No animals shall be allowed to enter any private compound, garden or other property while going to and from the grazing areas, unless that private compound, garden or other property is leased by the owner of the animals from the owner or tenant of the property, for grazing purposes, provided that no animal shall be allowed to graze in any private compound, garden or other property between the hours of sunset and sunrise.

14. Animals, when being driven for grazing in the areas set apart for the purposes shall be taken by such public roads as the Executive Officer may from time to time prescribe. All cow dung droppings on roads shall be removed forthwith.

Penalty—Any person committing a contravention of any of these bye-laws shall on conviction by a Magistrate, be punishable with fine which may extend to one hundred

rupees and, in the case of a continuing contravention, with an additional fine which may extend to ten rupees for every day during which such contravention continues after conviction for the first such contravention.

[No. 12/32/G/D-8(a)/49]

No. 1859.—In pursuance of sub-section (7) of section 18 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board, Amritsar, by reason of the acceptance by the Central Government of the resignation of Maj. Inder Singh

[No. 121/10/G/D-8(a)/44]

No. 1859-A.—In pursuance of sub-section (7) of section 18 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify the nomination of Maj. Jasbir Singh as a member of the Cantonment Board, Amritsar, *vice* Maj. Inder Singh, resigned

[No. 121/10/G/1/D-8(a)/44]

H. M. PATEL, Secy.

